REMARKS

Claim 5 has been amended. Claims 2-3, 5, 10-11 and 13 remain pending in this application. Applicant reserves the right to pursue the original claims in this and other applications. Reconsideration is respectfully requested in view of the following.

Claims 2-3, 5, 10-11 and 13 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0136121 to Salmonsen et al. ("Salmonsen"). The rejection is respectfully traversed.

Claim 2 recites "interrupting an operation of recording data in an optical data recording medium when a predetermined amount of data to cover a specified length along the radial direction of the optical disk is continuously recorded." Salmonsen does not disclose this limitation.

The Office Action asserts that "according to Salmonsen, a predetermined amount of data covering at least a specified length in the radial direction of the optical disk is indeed continuously recorded on the disk." The Office Action points to Salmonsen paragraphs 0018, 0037, and 0038 for support for this assertion.

Notably, the phrase "predetermined amount of data" does not appear in any of the cited paragraphs, nor anywhere else in Salmonsen. Even under this reading, Salmonsen does not teach the above-mentioned limitation. In Salmonsen, for any given time, there is no single predetermined amount of data that is recorded. The Office Action essentially suggests that since some amount of data is clearly recorded during a given time period, this amount is the equivalent of the recited "predetermined amount of data." This is incorrect. Note that the claim recites "a predetermined amount," not an undetermined or various random amounts of data. Under the method as taught by Salmonsen, there is no predetermined amount of data that triggers the interruption. Instead, during each time interval, some random amount of data will be recorded, thus there is no trigger based on "a predetermined amount of data."

Applicant also notes that the Office Action uses the phrase "at least a predetermined amount of data," which is, first, not mentioned in Salmonsen, and second insufficient to meet the claim language. If "at least a predetermined amount of data" is recorded, then there will be no interruption when the proposed least amount of data has been recorded. Rather, the interruption will not occur until a designated amount of time has passed. The Office Action states "at least" an amount of data, which implicitly acknowledges that more than that amount could be recorded. But according to Salmonsen, there will only be an interruption when the designated time has passed, during which more data than the "least" amount will have likely been recorded.

During any given time interval, a "least" amount of data or any greater random amount of data may be written. This means, by way of illustration, during interval A, amount x could be written, while during the subsequent interval B, a different amount y could be written. In Salmonsen, the length of time of interval A will equal the length of time of interval B in accordance with the time trigger, but there is no teaching nor guarantee that the amount of data x will equal the amount of data y. Thus, using time triggers as taught by Salmonsen, it is not possible to trigger the interruption at the time that amount x has been written. The claim recites the interruption as happening at a certain time, that is, "when a predetermined amount of data" is recorded, not simply at some time after the predetermined amount has been recorded.

Salmonsen therefore does not teach "interrupting an operation of recording data in an optical data recording medium when a predetermined amount of data to cover a specified length along the radial direction of the optical disk is continuously recorded," therefore claim 2 should be allowable over Salmonsen.

Furthermore, with respect to claim 5, the claim has been amended to recite "wherein said interrupting occurs upon completion of having recorded said predetermined amount of data." This should make it even more clear hat the claimed invention is distinguishable over Salmonsen.

The remaining claims either recite a similar limitation to the limitation of claim 2 described above or depend from a claim that does and are allowable over Salmonsen for at least the

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reasons provided above, as well as on their own merits. Accordingly, Applicant respectfully requests the rejection be withdrawn and the claims allowed

      In view of the above remarks, Applicant believes the pending application is in condition for allowance.

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                                                   By

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